

**BOARD OF REAL ESTATE APPRAISERS  
BOARD MEETING MINUTES – March 2, 2004**

**MEMBERS PRESENT**

James Murphy  
David Adams  
Bruce Bell  
Theodore Webersinn  
Joseph Herlihy  
Kenneth Charest

**MEMBERS ABSENT**

Walter Bowditch

**OTHERS PRESENT**

Carol Leighton, Administrator  
Dennis Smith, A.A.G.  
Kim Baker-Stetson, Licensing Clerk  
Susan Greenlaw, Board Clerk

**Location:** Central Conference Room

**Start:** 9:10 a.m.      **Adjourn:** 12:40 p.m.

**CALL TO ORDER**

The meeting was called to order at 9:10 a.m.

**AGENDA MODIFICATIONS**

The Board agreed to add the following:

- AARO Spring Conference - April 24-26, 2004
- Complaint #REA-151
- Complaint #REA-176
- USPAP Draft

**OLD BUSINESS**

**Action on Minutes of February 3, 2004 Meeting**

A motion was made by Bruce Bell and seconded by Joseph Herlihy to approve the minutes of the February 3, 2004 meeting as written. Bell, Charest, Herlihy, and Murphy voted in the affirmative; none opposed; Adams and Webersinn abstained. Motion carried.

**Action on Tabled Applications/Items**

See "Review and Action on Applications and Education".

**NEW BUSINESS**

**Adjudicatory Hearing re: Donna Herring (#REA-168)**

The hearing was continued to April 6, 2004 at 10:30 a.m.

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**Administrator's Report**

Members were reminded that names of people involved in complaints are confidential and to not use them during discussions.

The Board was presented with a licensee who disclosed criminal convictions along with supporting information. A criminal records check revealed a conviction. The individual had no recollection of the event. A motion was made by Kenneth Charest and seconded by Theodore Webersinn to take no action on this matter. Unanimous.

The Request for Proposals for an investigator has been noticed in several newspapers.

**Complaint Officer's Report**

**#REA-169:** A motion was made by David Adams and seconded by Theodore Webersinn to dismiss upon finding no violation of Board statutes or rules. Unanimous.

**#REA-175:** A motion was made by Kenneth Charest and seconded by Theodore Webersinn to find the licensee in violation of the USPAP Departure Rule and USPAP Standards Rule 1-1 a-c and to offer a Consent Agreement requiring the licensee to complete, within 6 months of execution of the Consent Agreement, a 15 hour USPAP course which includes successful completion of an exam; such course not to be included with regular continuing education requirements for renewal. Unanimous.

**#REA-182:** A motion was made by Theodore Webersinn and seconded by Kenneth Charest to dismiss upon finding no violation of Board statute or rules and to issue a Letter of Guidance informing the licensee that individuals providing significant appraisal assistance must be licensed in accordance with the Board's statute prior to receiving credit for appraisal experience. The supervisor is also to inform the trainee that the first 50 appraisals can not commence prior to receiving a trainee license. Unanimous.

**#REA-184:** A motion was made by Bruce Bell and seconded by David Adams to dismiss upon finding no violation of Board statute or rules. Unanimous.

**#REA-189:** A motion was made by Bruce Bell and seconded by Kenneth Charest to dismiss upon finding no violation of Board statute or rules and to issue a Letter of Guidance drawing the licensee's attention to USPAP Standards Rule 1-1-b and c and 2-1-a. The Letter of Guidance will remain in the licensee's file for a period of two years. Unanimous.

**Review and Action on Applications and Education**

NAME	APPLYING TO	ACTION
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JENNIFER MOTT	<p>UPGRADE FROM LIC APPR TO SIT FOR CERTIFIED RESIDENTIAL EXAM</p> <p>MIN 120 QE BAL MET? = 120 QE HOURS ON FILE MIN 24 MONTHS EXP MET? = FIRST LICENSED 03/02/2001 MIN 2500 EXP HRS MET? = 2500+ MET ADEQUATE # OF MAJOR/COMPLEX APPR? = ?? SEE BOARD RULES CHAPTER 200 SECTION A (B) AND 32 MRSA 14002</p>	<p>MARCH 2, 2004 – BOARD INSTRUCTED CLERK TO CHOOSE 6 APPRAISALS FOR REVIEW</p> <p>FEBRUARY 25, 2004 – REC'D LIST FEBRUARY 3, 2004 – MOTION TO TABLE AND REQUEST LIST OF MAJOR/COMPLEX APPRAISALS.</p>
JULIE GALVIN	<p>TRAINEE UPGRADE TO SIT FOR CERTIFIED RESIDENTIAL EXAM</p> <p>MIN 120 QE BAL MET? = 120 QE HOURS ON FILE MIN 24 MONTHS EXP MET? = FIRST LICENSED 03/14/2001 MIN 2500 EXP HRS MET? = 2500+ MET ADEQUATE # OF MAJOR/COMPLEX APPR? = ?? SEE BOARD RULES CHAPTER 200 SECTIN A (B) AND 32 MRSA 14002</p>	<p>MARCH 2, 2004 – PENDING RESPONSE TO REQUEST</p> <p>FEB 3, 2004 - MOTION TO TABLE AND REQUEST LIST OF MAJOR/COMPLES APPRAISALS AND PENDING VERIFICATION OF "FIRST FIFTY" APPRAISALS.</p>
CATHERINE ARNOLD	<p>TRAINEE UPGRADE TO SIT FOR CERTIFIED RESIDENTIAL EXAM</p> <p>MIN 120 QE BAL MET? = 120 QE HOURS ON FILE MIN 24 MONTHS EXP MET? = FIRST LICENSED 09/10/2001 MIN 2500 EXP HRS MET? = 4100+ MET ADEQUATE # OF MAJOR/COMPLEX APPR? = ?? SEE BOARD RULES CHAPTER 200 SECTIN A (B) AND 32 MRSA 14002</p>	<p>MARCH 2, 2004 - INSTRUCTED CLERK TO CHOOSE 6 APPRAISALS FOR REVIEW.</p> <p>FEB 25, 2004 – REC'D LIST FEB 3, 2004 - MOTION TO TABLE AND REQUEST LIST OF MAJOR/COMPLES APPRAISALS AND PENDING VERIFICATION OF "FIRST FIFTY" APPRAISALS.</p>
THOMAS PELLERIN	<p>TRAINEE UPGRADE TO SIT FOR CERTIFIED RESIDENTIAL EXAM</p> <p>MIN 120 QE BAL MET? = 130 QE HOURS ON FILE MIN 24 MONTHS EXP MET? = FIRST LICENSED 05/16/2000 MET ADEQUATE # OF MAJOR/COMPLEX APPR? = ?? SEE BOARD RULES CHAPT 200 SECTION A (B) AND 32 MRSA 14002</p>	<p>MARCH 2, 2004 – PENDING RESPONSE TO REQUEST</p> <p>FEB 3, 2004 – MOTION TO TABLE AND REQUEST LIST OF MAJOR/COMPLES APPRAISALS AND PENDING VERIFICATION OF "FIRST FIFTY" APPRAISALS.</p>
BLAIR BROWN	<p>TRAINEE UPGRADE TO SIT FOR LICENSED RESIDENTIAL EXAM</p> <p>MIN 90 QE BAL MET? = 105 QE HOURS ON FILE FIRST LICENSED = 05/20/2002 MIN 2000 EXP HRS MET? = 2000 ON FILE</p>	<p>MARCH 2, 2004 – PENDING CLOSURE OF 30 DAY WINDOW TO APPEAL</p> <p>FEB 10, 2004 – DENIAL LETTER SENT FEB 3, 2004 – RECOMMEND DENIAL DUE TO EXCESSIVE HOURS CLAIMED PER APPRAISAL</p>
PATTY LUCAS	<p>UPGRADE FROM LIC APPR TO SIT FOR CERTIFIED RESIDENTIAL EXAM</p>	<p>FEB 27, 2004 – APPEAL RECEIVED; HEARING SCHEDULED</p> <p>FEB 10, 2004 – DENIAL LETTER SENT FEB 3, 2004 – APPRAISALS REVIEWED BY BOARD; MOTION TO DENY PURSUANT TO 32 MRSA 14023(5) JAN 6, 2003 – TABLED; BOARD REQUESTED FURTHER SAMPLES DEC 2, 2003 – 3 APPRAISALS GIVEN TO KEN FOR FURTHER REVIEW; REMAIN TABLED TO THE NEXT MEETING NOV 4, 2003 – APPRAISALS RECEIVED; BD MEMBERS TO REVIEW AND REPORT BACK AT NEXT MEETING OCT 7, 2003 – BD REQUESTED COPIES OF APPRAISALS FOR REVIEW AT NEXT MEETING SET FOR NOV 4, 2003</p>

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RON PAYEUR	TRAINEE UPGRADE TO SIT FOR CERTIFIED RESIDENTIAL EXAM	MARCH 2, 2004 – APPRAISALS REVIEWED BY BOARD. MOTION BY CHAREST AND SECONDED BY WEBERSINN TO DENY PURSUANT TO 32 MRSA 14023(2)(5) AND BOARD RULES CHAPTER 200 SECTION 4-B-2-C. UNANIMOUS.
MICHAEL GARRITY	UPGRADE FROM TRAINEE TO SIT FOR CERTIFIED RESIDENTIAL EXAM  QE BAL ON FILE = 140 EXP HRS SUBMITTED = 2500+++ FIRST LICENSED = 10/11/2001 ADEQUATE # OF MAJOR/COMPLEX APPR ?	MARCH 2, 2004 – APPRAISALS REVIEWED BY BOARD. MOTION BY WEBERSINN AND SECONDED BY BELL TO DENY PURSUANT TO 32 MRSA 14023(2)(5) AND BOARD RULES CHAPTER 200 SECTION 4-B-2-C AND TO FILE A COMPLAINT AGAINST THE SUPERVISOR. UNANIMOUS.

**Correspondence**

**OTHER BUSINESS**

Complaint #REA-151: Requested list of appraisals done following suspension period. Licensee did not provide adequate information. Licensee notified to submit additional information.

Complaint #REA-176: A motion was made by David Adams and seconded by Theodore Webersinn to table for a period of six months. Unanimous.

A motion was made by David Adams and seconded by Kenneth Charest to authorize out of state travel for Theodore Webersinn to attend the AARO Spring Conference scheduled for April 24-26, 2004 in Covington, Kentucky. Unanimous.

Next Meeting Scheduled for April 6, 2004

**ADJOURN**

Being no further board business the meeting was adjourned at 12:40 p.m.

Respectfully submitted,

Susan Greenlaw  
Board Clerk